



Attorney Docket No. 13758/1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Paola Lavermicocca et al.

Application No.: 10/581,516

Filed: June 2, 2006

For: TABLE OLIVES CONTAINING PROBIOTIC
MICROORGANISMS

Group Art Unit: Unassigned

Examiner: Unassigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully submitted that copies of U.S. applications and/or patents are not required. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO SB/08A and SB/08B, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first Office Action after filing of a request for continued examination. No certification or fee is required.

This is the national phase of PCT Application No. PCT/EP2004/013582, filed November 30, 2004, which claims priority to Italian Application No. MI2003A002391 filed December 5, 2003, the entire contents of which are incorporated. Reference Nos. 1-8 listed on

IFW

Paola Lavermicocca et al.
Application No.: 10/581,516

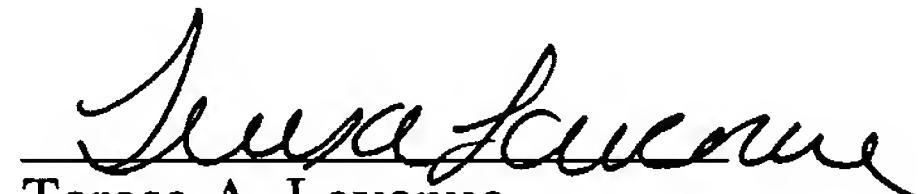
Attorney Docket No.: 13758/1

PTO SB/08A and SB08B were cited in the counterpart foreign application. A copy of the International Search Report (ISR) is attached.

The Commissioner is authorized to charge any fees relevant to this filing to Deposit Account No. 11-0600 (under Attorney Docket No. 17358/1).

Respectfully submitted,
KENYON & KENYON LLP

Date: December 13, 2006



Teresa A. Lavenue
Registration No. 47737

1500 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 220-4200
Facsimile: (202) 220-4201



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/581,516
Filing Date	June 2, 2006
First Named Inventor	Lavermicocca et al.
Art Unit	Unassigned
Examiner Name	Unassigned

Sheet 1 of 2

Attorney Docket Number 13758/1

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
	3	WO 02/056695	07-25-2002	Jimenez Diaz et al.		
	4	WO 00/60948	10-19-2000	Jimenez Diaz et al.		
	5	WO 97/49303	12-31-1997	Heijmen et al.		
	6	EP 1 308 506	05-07-2003	Miescher et al.		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

DEC 13 2006



PTO/SB/08B (07-05)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number	10/581,516
Filing Date	June 2, 2006
First Named Inventor	Lavermicocca et al.
Art Unit	Unassigned
Examiner Name	Unassigned

Attorney Docket Number

13758/1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	7	VAN DEN BERG et al., "Isolation, screening and identification . . . culture collections," Food Biotechnology, Vol. 7, No. 3, 1993, pp. 189-205	
	8	SUSKOVIETA al., "Probiotic properties of Lactobacillus plantrarum L4," Food Technol. Biotechnol., Vol. 35, No. 2, 1997, pp. 107-112	
	9	SALMINEN et al., "Clinical Applications of Probiotic Bacteria," Int'l Diary Journal 8, 1998, pp. 563-572	
	10	SAARELA et al., "Gut bacteria and health foods-the European perspective," Int'l Journal of Microbiology 78, 2002, pp. 99-117	
	11	DARGO et al., "Inhibition of in vitro... by new Lactobacillus isolates of human intestinal origin," FEMS Microbiology Letters 153, 1997, pp. 455-463	
	12	CROSS, "Microbes versus microbes: immune...microbial pathogens," FEMS Immunology and Medical Microbiology 34, 2002, pp. 245-253	
	13	GOBBETTI et al., "Production of Crescenza Cheese by Incorporation of Bifidobacteria," J. Diary Sic 81, 1998, pp. 37-47	
	14	BETORET et al., "Development of probiotic-enriched...impregnation," Journal of Food Engineering 56, 2003, pp. 273-277	
	15	SCHOU et al., "Bacterial binding to extracellular...adhesion," AMPIS 107, 1999, pp. 493-504	
	16	TUOMOLA et al., "Adhesion of some probiotic...Caco-2 cell cultures, Int'l. Journal of Food Microbiology 41, 1998, pp. 45-51	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.